

REMARKS

Claim 2 has been canceled

Claims 1, 8 and 20 have been amended.

Claims 1, 3-20 are pending.

Applicant hereby requests that a phone interview be conducted with Attorney for Applicant Greg O’Bradovich and Examiner Champagne upon receipt of the Request for Continued Examination and accompanying submission. Applicant believes that it may be a simply matter of semantics that is creating difficulty in reciting the clear differences between Applicant’s claimed invention and the Golden patent.

35 U.S.C. §102

The Office Action rejected Claims 1 and 3-20 under 35 U.S.C. 102(b) as being anticipated by Golden et al (US Patent No. 5,761,648). Applicant has reasserted many of the same arguments as previously presented with the accompanying amendments. Applicant is concerned because the Final Office Action Dated April 22, 2004 declared that Applicant’s arguments were not persuasive. However, Applicant strongly urges that although Applicant’s claimed invention does distribute coupons, the Office Action has placed improper emphasis on this feature of this system. Applicant’s claimed invention is a fraud prevention system that is to be used in conjunction with any promotion distribution system. In fact, Applicant’s claimed invention can be used in Golden’s system since Golden simply does not prevent abuse. Golden’s system relies on the identification of the user to give limited fraud protection mainly in the form more similar to identity theft protection. Applicant’s claimed invention concentrates on the reproduction of the promotion itself

regardless of the identity of the user. The arguments below reflect the distinct element by element differences in the claimed systems. Applicant has once again amended the independent claims in order to emphasize the fraud prevention that Applicant's claimed invention provides.

Applicant respectfully traverses the rejection on several bases. Applicant submits that Applicant can address several of the bases of rejection with an explanation of the differences between Applicant's claimed invention and the invention disclosed in Golden. Applicant respectfully points out that the Office Action has continued to improperly equate certain elements of Applicant's Claimed invention and elements of Golden. Applicant further submits that when these improperly equated elements are clarified and distinguished, and the Claims amended to further recite the novelty and non-obviousness of Applicant's claimed invention.

Applicant restates that the Office Action cites passages in Golden that simply do not describe a method for preventing abusive use of online promotions. In several area of he specification, Golden states that coupon instructions are created and downloaded to a database, the instructions including the number of coupons that may be downloaded by a single user. Nowhere in Golden describes that the number of coupons or any individual coupon are tracked, nor does Golden describe that the system identifies and terminates further attempts to download the promotions. The Final Office Action stated that the "reference invention limits the number of coupons which can be downloaded...[t]hat would be understood by one of ordinary skill in the art as a method for preventing abusive use of online promotions." However, Applicant has not blindly and broadly claimed a method of preventing online promotion abuse. Rather, Applicant has claimed a specific method of preventing this abuse as given element by element in the claims. Applicant does not simply limit the number of coupons issued, which can still be abused in the Golden system by

simple photocopying. As described in detail in the specification and claims, Applicant's claimed system tracks the promotions and has built-in security measures, both front and back end to prevent reproduction of the promotions. Applicant's claimed invention puts an outright stop to the downloading of any additional coupons and further provides identifiers on the coupon that do not allow the coupon to be reproduced. If reproduced, the system outright denies the promotion. In Golden, reproductions could slip through the system quite easily because there are no elements described that prevent unauthorized reproduction. Applicant strongly and respectfully states that the citations to Golden in the Final Office Action simply do not describe the methods in Applicant's claimed invention. Applicant has amended Claims 1, 8 and 20 to further recite the novelty and non-obviousness of Applicant's claimed invention as described further below.

With regard to the further rejection of Claim 20, the Office Action equates the promotion unique identifier with the unique serial number in col. 4 line 18. Applicant points out that the unique identifier is actually a software-type identifier that is present in the memory, hard-drive or other storage area of the user's computer. Clearly, Golden states that the serial number is printed on the coupon, with a further bar code linked to the user's information. As stated further in addressing additional rejections below, none of the identifiers used in Applicant's claimed invention is unique to the user. In fact, no user information personal demographic information is ever solicited from the user, as is required by Golden. Applicant's claimed invention used fraud prevention measures that is in no way linked to personal demographic or household information. Applicant has amended the claims to further recite that the unique identifier is a data structure. Applicant has further amended Claim 20 to recite that the coupon does include a second unique identifier that is recorded in software but also printed on the coupon. Applicant once again points out that this second unique identifier is unique from the serial number in Golden because 1) it is in

no way linked to the personal information of the user, and 2) it is used only to distinguish it from *copies of itself*. Applicant emphasizes this point because Golden clearly states that the serial number is used for “distinguishing that coupon from all others” (Col. 4 line 19).

Claim 20 as amended clearly recites a system with front and back end security as discussed in the specification starting on page 13 (front end) and on page 17 (back end). The front end security virtually prevents any duplicate coupons from being printed once one and only one has been printed (being prevented by the recording and tracking of the data structure). The back-end security prevents redemption of a coupon in the event the singly printed coupon has been copied (by a comparison of the second unique identifier and the copy of the second unique identifier at the clearing house).

Applicant once again stresses that Golden simply does not take measures to prevent fraud. In fact, it discloses and claims marketing elements in the use of its coupons. The only security feature the patent directly discusses is in Col. 4 lines 49-51. In this sentence, “the barcode could be compared to ensure *the consumer identity* corresponds with the barcode.” [emphasis added] Once again, consumer identity is absent from Applicant’s claimed invention. A person *other* than the person who downloaded the coupon *could* use the promotion, so long as it was downloaded only once (front end security) and a copy is not presented (back end security).

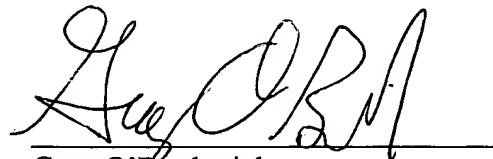
Applicant further points out the Golden’s consumer’s resident software is different entirely from Applicant’s security software. The Office Action uses the sentence in Col. 5, lines 54-57, to define Golden’s resident software. In this sentence, “When coupons are activated 48, the consumer’s resident software removes the coupon file that has been printed 54, updating the data base of downloaded electronic coupons 55 and the resident coupon display 47.” Applicant respectfully submits that this resident software operates

nothing like Applicant's security software. In fact, the resident software acts *oppositely*. Applicant's security software ensures that no more copies are printed by retaining the unique identifier in the user's computer. Golden's resident software actually removes the coupon file. Applicant further points out that Applicant's unique identifier is not equivalent to Golden's coupon file, which includes household information (absent from Applicant's claimed invention) and is used to activate coupons.

Once again, Applicant hereby requests that a phone interview be conducted with Attorney for Applicant Greg O'Bradovich and Examiner Champagne upon receipt of the Request for Continued Examination and accompanying submission.

If Examiner has any questions regarding this document, Applicant asks that Examiner contact the undersigned immediately by telephone.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Greg O'Bradovich', written over a horizontal line.

Greg O'Bradovich
Attorney for Applicant
Registration No. 42,945

HINKLE & O'BRADOVICH, LLC
295 Culver Street, Suite A
Lawrenceville, Georgia 30045
(770) 995-8877